

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
Amendment of the Commission's Rules)
Concerning Low Power Radio and)
Automated Maritime Telecommunications)
System Operations in the 216-217 MHz Band)

WT Docket No. 95-56

To: The Commission

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COMMENTS

Fred Daniel d/b/a Orion Telecom (Orion), by its attorneys, respectfully files its Comments in the above captioned proceeding. In support of its position, Orion shows the following.

Orion fully and enthusiastically supports all of the Commission's frequency allocation proposals. Rapid action on the Commission's proposals will allow publicly beneficial use of spectrum which has lain fallow too long.

Congress and the Commission have taken significant steps to assist those with hearing disabilities, including allocating frequencies for auditory assistance devices, providing threshold requirements for hearing aid-compatible telephones, establishing the telecommunications relay services funded by universal service contributions, and establishing requirements for closed captioning circuitry in television receivers.¹ However, as well explained by Phonic Ear, the

¹ The inclusion of closed caption decoding circuitry in television receivers has also had an unintended, positive effect on the national economy, permitting a hearing-able person to obtain information from two news or public affairs programs simultaneously, using one silent

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current allocation in the 72-76 MHz band faces increasing levels of harmful interference² and necessitates the use of equipment which is less ergonomically satisfying than equipment in the 216-217 MHz band will be. The proposed allocation for auditory assistance devices and health care equipment will be a proud achievement of the Commission in assisting those with hearing difficulties and in furthering the objectives of the Americans With Disabilities Act.

At a time that the security of property appears to come under greater threat each day, improved law enforcement tracking of property of inestimable value will help immeasurably in discouraging theft. Where deterrence does not succeed, radio tracking of the location of valuables will assist greatly in recovery of the property. Therefore, Orion supports the Commission's proposed allocation in the band for law enforcement tracking of property.

Orion is one of the two licensees of Automated Maritime Telecommunications System (AMTS) stations along the Pacific Coast of the United States and is currently an applicant for AMTS stations along the Atlantic Coast and in the State of Hawaii. Allocating the 216-217 MHz band for AMTS point-to-point network control use would allow the two AMTS systems

receiver with captions displayed, and another receiver which emits sound. The hearing-able person is thereby able to increase his intake of news and information due to wise action by Congress and the Commission.

² Ironically, the increasing quality of television receivers has made it possible for the authorization of increasing numbers of high power 72-76 MHz band fixed stations, which has resulted in impaired use of auditory assistance devices in that band.

in each area³ to improve their service to end users substantially, while adhering as closely as possible to the initial allocation of this band to the AMTS service.

Orion respectfully requests that the Commission make a minor revision in its proposed re-allocation of the band to AMTS service. Orion requests that the Commission provide, in one of two ways, for AMTS operators to use the band on any channel plan which they believe will be most efficient, rather than necessarily using ten discrete channels. Orion believes that it can make more efficient use of the spectrum by using a wide-band digital data emission, rather than by having to transmit on a group of narrow-band discrete channels. The ability to use the full width of the band for a single transmission would allow Orion's system to have a greater throughput of information, coupled with a lower equipment cost, thereby allowing Orion to offer a more competitive service to subscribers.

The Commission can provide for wide-band emissions in either of two ways. It could either revise proposed Rule 80.385 to eliminate the specific channelization for channels 131 through 140, or it could adopt a footnote which would permit an AMTS licensee to operate at variance with the ten-channel listing.⁴ The footnote could state, for example, that "multiple

³ By its partial reallocation of frequencies from the AMTS service to Interactive Video Data Service, the Commission necessarily limited the number of AMTS operators serving any area to two.

⁴ The Commission has adopted rules having a comparable effect at Rule Section 90.645, 47 C.F.R. §90.645.

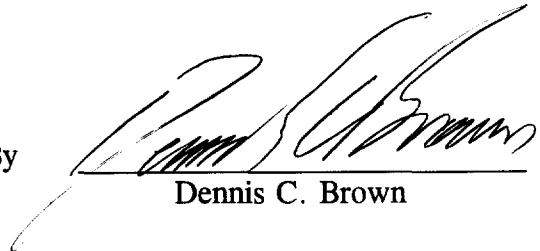
emissions may be used within the authorized bandwidth and licensees of AMTS stations are not required to transmit on ten discrete frequencies".

Conclusion

For all the foregoing reasons, Orion respectfully requests the Commission adopt its proposed spectrum reallocation, in accord with the suggestions contained herein.

Respectfully submitted,
FRED DANIEL D/B/A
ORION TELECOM

By

A handwritten signature in black ink, appearing to read "Dennis C. Brown", is written over a horizontal line.

Dennis C. Brown

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